

**THE COMMITTEE ON PUBLIC SAFETY AND NEIGHBORHOOD SERVICES
OF THE CITY COUNCIL OF THE CITY OF SAN DIEGO**

**Councilmember Marti Emerald, Chair
Councilmember Anthony Young, Vice Chair
Councilmember Todd Gloria
Councilmember Sherri Lightner**

**ACTIONS FOR
WEDNESDAY, MARCH 4, 2009, AT 2:00 P.M.**

**COUNCIL COMMITTEE ROOM (12TH FLOOR),
CITY ADMINISTRATION BUILDING
202 C STREET, SAN DIEGO, CALIFORNIA**

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Councilmembers Present: Emerald, Gloria, Lightner

Councilmembers Not Present: Young

NON-AGENDA PUBLIC COMMENT:

Paul Krupski from the Mid-City Community Advocacy Network commented on outreach and marketing of the San Diego Problematic Bar and Liquor Complaint Line.

Cricket Bradburn commented on budget cuts to public transit and the effects on seniors and residents with disabilities.

COMMITTEE COMMENT: None

CITY ATTORNEY, IBA, AND MAYORAL STAFF COMMENT: None

ADOPTION AGENDA, DISCUSSION, OTHER LEGISLATIVE ITEMS:

ITEM-1: APPROVAL OF THE RECORD OF ACTION ITEMS for February 4, 2009

ACTION: Motion by Councilmember Gloria, second by Councilmember Lightner, to approve.

VOTE: 3-0 Emerald-yea, Gloria-yea, Lightner-yea, Young-not present

ITEM-2: Report from the San Diego Fire Department regarding the TEN-YEAR FIRE

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MASTER PLAN

(See Fire-Rescue Department's January 27, 2009, report; Fire-Rescue Department's January 27, 2009, Executive Summary Sheet; Fire-Rescue Department's January 27, 2009, PowerPoint; Independent Budget Analyst's March 2, 2009, memorandum)

ACTION: Motion by Councilmember Gloria, second by Councilmember Lightner, to accept the report and forward it to the full City Council with recommendation for approval.

VOTE: 3-0 Emerald-yea, Gloria-yea, Lightner-yea, Young-not present

ITEM-3: Report from the San Diego Police Department regarding TOBACCO RETAILER ORDINANCE ANNUAL REPORT (December 15, 2007 to December 15, 2008)

(See San Diego Police Department's February 10, 2009, report)

ACTION: Informational only. No action taken.

ITEM-4: Report from City Attorney regarding PROPOSED REVISIONS TO TOBACCO RETAIL ORDINANCE

(See Draft Ordinance O-2009-90)

ACTION: Motion by Councilmember Lightner, second by Councilmember Gloria, to approve the proposed revisions and forward the item to the full City Council with recommendation for approval.

VOTE: 3-0 Emerald-yea, Gloria-yea, Lightner-yea, Young-not present

ITEM-5: Report from the Commission on Gang Prevention and Intervention regarding WORKPLAN 2009 REPORT

(See Commission on Gang Prevention's report)

ACTION: Informational only. No action taken.

ITEM-6: Report from San Diego Police Department and County of San Diego Department of Animal Services regarding agreement with the County of San Diego for

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ANIMAL REMOVAL SERVICES

(See Report to City Council No. 09-013)

ACTION: Motion by Councilmember Gloria, second by Chair Emerald, to approve the staff recommendations in the report, forward the item to the full City Council with recommendation for approval and to direct the City Auditor to perform an audit of the program for Fiscal Year 2010.

VOTE: 3-0 Emerald-yea, Gloria-yea, Lightner-yea, Young-not present

ITEM-7: REQUEST TO HEAR AN APPEAL re: Los Amigos Market (Joseph Beylouni owner of Los Amigos Market)

(See Appellant's December 29, 2008, appeal letter; Committee Consultant's January 6, 2009, letter; Committee Consultant's January 26, 2009, letter; Hearing Officer's December 15, 2008, findings with cover letter; Police Department's Exhibits Nos. C1 through C8; Committee Consultant's February 24, 2009, letter)

ACTION: Motion by Councilmember Lightner, second by Councilmember Gloria, to deny the appeal based on the following grounds:

1. The Appellant was not denied the opportunity to make a full and complete presentation to the hearing officer;
2. There has been no showing that any new evidence is now available that is relevant to this issue that was not available at the time of the Hearing Officer's hearing;
3. The Hearing Officer's decision was not arbitrary; the evidence that was presented to the Hearing Officer supports the decision of the Hearing Officer;
4. The appeal does not present a city-wide issue on which guidance of the Committee on Public Safety and Neighborhood Services is required and the matter is not of city-wide significance; and
5. The Hearing Officer's decision is not in conflict with adopted council policy or the Municipal Code.

VOTE: 3-0 Emerald-yea, Gloria-yea, Lightner-yea, Young-not present

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Marti Emerald
Chair